

REMARKS

The Examiner has allowed Claims 1-8, 10, 13-14, 16-19, 21-23, 25, and 28 as indicated in the Notice of Allowance mailed September 19, 2008. Applicant respectfully takes note that Claim 29, indicated as “Previously Presented” in Applicant’s Response filed June 20, 2008, is not mentioned in the Notice of Allowance mailed September 19, 2008 and is believed to be allowed along with Claims 1-8, 10, 13-14, 16-19, 21-23, 25, and 28.

Applicant herewith amends Claim 14 to provide proper antecedent basis for the term “compression counter” by deleting the term “compression device”. Applicant also amends Claims 13, 28, and 29 to recite “compression *counter*” rather than “compression *device*” (Emphasis added). Applicant contends that the rationale underlying these non-narrowing amendments bears no more than a tangential relation to any equivalence in question because the non-narrowing amendments are only directed to typographical errors easily identifiable as such by a person of skill in the art. *Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co.*, 122 S.Ct. 1831 (2002). Accordingly, Applicant does not intend to surrender any equivalents encompassed by Claims 13, 14, 28, and 29 as a result of these amendments.

Applicant has now made an earnest attempt to place this Application in condition for issuance. Applicant respectfully requests the present Amendment be entered and the application be permitted to proceed to issuance accordingly with Claims 1-8, 10, 13-14, 16-19, 21-23, 25, 28, and 29.

Applicant would like to bring to the attention of the Examiner for consideration, an Information Disclosure Statement filed concurrently with this response.

Applicant does not believe that any fees are due; however, in the event that any fees are due, the Director is hereby authorized to charge any required fees due (other than issue fees), and to

credit any overpayment made, in connection with the filing of this paper to Deposit Account No. 09-0447 of IBM Corporation.

Should the Examiner deem that any further amendment is desirable to place this application in condition for allowance, the Examiner is invited to telephone the undersigned at the number listed below.

Respectfully submitted,

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Dated: November 25, 2008
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